

AUG 1 0 2004

Attorney Docket: DX0644KBK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re:

Examiner: Prema Maria MERTZ

Rene de Waal MALEFYT, et al.

Art Unit: 1646

Application Number.: 10/083,720

Conf. No.: 1971

Filed: February 28, 2002

For: AK155 ANTIBODIES AND

BIONDING FRAGMENTS THEREOF

I hereby certify that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office, Commissioner for Patents, P.O. Box 1450, Alexandria, VA Fax Number 1-703-872-9306 , Attention: Mail Stop: Patent Extension , on August 10, 2004

MAIL STOP: Patent Extension Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

APPLICATION UNDER 37 C.F.R. 1.705 FOR CORRECTION OF PATENT TERM ADJUSTMENT

Sir:

- Applicants hereby submit this application to correct the patent term adjustment of 1. 283 days as calculated by the USPTO in the Notice of Allowance dated May 11, 2004, for the above application, to 322 days.
- Accompanying this application is a fee of \$200.00, as required under 37 C.F.R. 1.18(e)
- Applicants submit that the above application is entitled to a 322 day patent term 3. extension for the following reasons:
- a) Under 35 U.S.C. 154(b)(1)(A)(i), the USPTO must mail a notification under 35 U.S.C. 132 no later than 14 months after the date on which the application was filed under 35 U.S.C. 111(a);
- b) The present application was filed on February 28, 2002, thus the first Office Action should have been mailed by April 28, 2003;
- c) The first Office Action, a Restriction Requirement, was in fact mailed on March 18, 2004, 325 days after the 14 month date.

DX0644KBK

- d) Under 37 C.F.R. 1.705(iv)(A), Applicants believe that the 325 day adjustment is reduced by 3 days as Applicants responded to a Notice File Missing Parts, dated April 8, 2002, on July 11, 2002. Therefore the 325 day adjustment is reduced to 322 days.
 - 4. The above patent application is not subject to any terminal disclaimer.
- 5. A copy of the Determination of Patent Term Adjustment under 35 U.S.C. 154(b) accompanies this application.

Applicants believe the above statements to be true and correct.

Please charge the fee of \$130.00 to DNAX Deposit Account No. 04-1239. Please charge any additional fees or credit overpayment to DNAX Deposit Account No. 04-1239.

Respectfully submitted,

Attorney for Applicants

Sheela Mohan-Peterson, Reg. No. 41,201

ate: Aug. 10, 2004

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United States Patent and Trademark Office

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PATENT APPLICATION INFORMATION RETRIEVAL



Patent Term Adjustmen	t (PTA) for	publication number: 10/083,720	
			Days
Filing or 371(c) Date:	02-28-2002	USPTO Delay (PTO):	325
Issue Date of Patent:	-	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL):	42
Post-Issue Petitions (days):	+0	Total PTA:	283
USPTO Adjustment (days):	+0	Explanation of Calculations	

Search Options

Assignments
Continuity Data
Display References
Image File Wrapper
File History
Publication Review
Published Documents

,	Patent Term Adjustment History		
Date	Contents Description	PTO (days)	APPI (days
05-11-2004	Mail Notice of Allowance		
05-11-2004	Mail Examiner's Amendment		
05-11-2004	Issue Revision Completed		
05-10-2004	Examiner's Amendment Communication		
05-10-2004	Notice of Allowance Data Verification Completed		
05-10-2004	Notice of Allowability		
04-08-2004	Date Forwarded to Examiner		
04-01-2004			
03-18-2004	Mail Restriction Requirement	325	
03-17-2004	Requirement for Restriction / Election		
03-01-2004	IFW TSS Processing by Tech Center Complete		
02-17-2004	Preliminary Amendment		
10-08-2003	IFW TSS Processing by Tech Center Complete	Û	
04-10-2003	Case Docketed to Examiner In GAU	1	
07-1 6 -2002	Preliminary Amendment	1	
08-20-2002	Application Dispatched from OIPE	1	
08-19-2002	Application Is Now Complete		42
07-15-2002	CRF Disk Has Been Received by Preexam / Group / PCT	11	
07-15-2002	A statement by one or more inventors satisfying the requirement under 35 USC 115, Oath of the Applic	10	
07-30-2002	CRF is Good Technically / Entered into Database		

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04-08-2002	Notice Mailed-Application Incomplete-Filing Date Assigned	Ţ,	1
03-29-2002	CRF is Flawed Technically / Not Entered into Database	î	
03-27-2002	IFW Scan & PACR Auto Security Review	Î	
02-28-2002	CRF Disk Has Been Received by Presxam / Group / PCT	î	
02-28-2002	Initial Exam Team nn		

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Analysis Summary Report

	S. S	INFORMATION	· · · · · · · · · · · · · · · · · · ·
Docket Number:	DX0644KBK	Analysis Generated:	06/07/2004 01:46:27 PM ET
Application Number:	10/083,720	User Name:	Blinka, Thomas
Filing Date:	02/28/2002	Firm/Company Name:	Schering-Plough Corporation
Title/Inventors:	MAMMALIAN CYTOKINE; RELATED REAGENTS; Rene de Waal Malefyt, Sunnyvale, CA (US)	Attorney/Agent Comments:	

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Barliest Referenced Application Date:	09 / 23 / 1946
Filing Date (US National Application):	02 / 28 / 2002
Net Adjustment Credits:	325 Days
Net Adjustment Debits:	3 Days
Net Patent Term Adjustment:	322 Days
AIPA Patent Term End Date:	08/11/2017(1)
(1) Assumes payment of alt maintenance fees and no intervening acts. Tenenal on 0923/2016.	(1) Assumes payment of alt maintenance fees and no intervening acts. Terminal disclaiments) filed in this case, if any, may reduce the term. Without adjustment, the term analyced on 09/23/2016.

TO must mail a notification under 35 USC 132 or a notice of allowance under 35 USC 131 not later than 14 months after the date on which the application was filled under 35 USC 111(a) or fulfilled the requirements of 35 USC 371 in an USC 111(a) or fulfilled the requirements of 35 USC 371 in an USC 111(a) or fulfilled the requirements of 35 USC 371 in an USC 111(a) or fulfilled the requirements of 35 USC 371 in an USC 111(a) or fulfilled the requirements of 35 USC 371 in an USC 111(a) or fulfilled the requirements of 35 USC 371 in an USC 111(a) or fulfilled the requirements of 35 USC 371 in an USC 111(a) or fulfilled the requirements of 35 USC 371 in an USC 111(a) or fulfilled the requirements of 35 USC 371 and ending on the date of mailing to either an action tunder 35 USC 114(b)(1)(37 CRF 1.702(a)). 1.703(a)(1) 2. Veer PTO Issue of Patent PTO must issue a patent within 3 years (tot including exclusions) after the date on which the application was filled under 35 USC 114(a) (USC 111(a)		A CONTROL OF THE CATTON SUMMERS THE CATTON SUMERS THE CATTON SUMMERS THE CATTON SUMERS THE CATTON SUMERS THE CATTON SUMERS THE CATTON SUMMERS THE CATTON SUMMERS THE				
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		ed the requirements of 35 USC 371 and ending on the date of lection under 35 USC 132, or a notice of allowance under 35 occurs first. 35 USC 154(b)(1)(A)(i); 37 CFR 1.702(a)(1),		0		
	1.703(a)(1).					
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